

INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: K Chase

Date: 11-1-03

APPLICATION NO. 09/787299

1. PETITION TYPE CODE

☐ R137(a) Petition-----501
☐ R137(a) Petition-----509
 (Issue Fee/Dwgs)
☐ R137(b) Petition-----502
☐ R137(b) Petition-----510
 (Issue Fee/Dwgs)
☐ R137(f) Petition-----536
☐ R182 Petition-----519
☐ R183 Petition-----503
☐ R378(b) Petition-----532
☐ R378(c) Petition-----533
☐ R377 Petition-----521
☐ R3.81(b) Petition-----523
☐ R181 Petition-----515
☐ R181 Petition-----504

PETITION TYPE CODE

☐ R28c Petition-----321/320
☐ R47 Petition-----313
☐ R53(e) Petition-----408
☐ R53 (R62 filing date)----410
☐ R10 Petition-----411
☐ Lost Application-----412
☐ R78(a)(3) Petition-----535
☐ R78(a)(6) Petition-----535
☐ R55(c) Petition-----535
☐ R314 Petition-----508
☐ R55(a) Petition-----507
☐ Pet. W/D Abn-----525
☐ R705(b) PTA-Bef iss-----550
☐ R705(d) PTA-Aft iss-----551
☐ R705(c)PTA-SpiteDueCare-552
☐ Other _____

2. LIST PAPERS FILED WITH PETITIONS

<input type="checkbox"/> PreAmdt/Amdt	<input type="checkbox"/> CPA	<input type="checkbox"/> Associate POA
<input type="checkbox"/> Request CofC	<input type="checkbox"/> RCE	<input type="checkbox"/> Change of Address
<input type="checkbox"/> Reply/Arguments	<input type="checkbox"/> IDS	<input type="checkbox"/> Revocation/Poa
<input type="checkbox"/> Election	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Oath/Decl. & POA
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Priority Documents
<input type="checkbox"/> Brief (3)	<input type="checkbox"/> Drawings	<input type="checkbox"/> Statement 3.37(b)
<input type="checkbox"/> Reply Brief	<input type="checkbox"/> Rule 312 Amdt	<input type="checkbox"/> Rescind Non-Pub Req.
<input type="checkbox"/> Declaration R132	<input type="checkbox"/> Ext Time ()	<input type="checkbox"/> Notice of Foreign Filing

Other Papers _____

3. Is paper a petition to withdraw holding of abandonment: yes no
 If so, send paper and/or file to appropriate location (**Note: remove any flag set first**):

- Nonreceipt of action from TC or assertion that reply was timely filed:
 Send paper to TC _____
- Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:
 Send paper to DIRECTOR -OIPE - -CP2-7D25 (PH: 308-0910)
- Assertion of timely payment of issue fee and/or submission of drawings:
 Send petition to Office of Publications: ATTN: Tom Hawkins
- Other _____

4. Other: TC 2800
 If not handled in Office of Petitions, send paper to appropriate location.

5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)

SIMTEK6241

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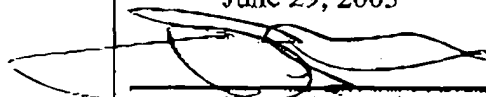
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JUN 30 2003
PATENT PETITIONS OFFICE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: Tadashi Takano
App. No.: 09/787299
Filed: March 15, 2001
Title: ROTATING ELECTRICAL
MACHINE
Art Unit: 2834
Conf. No: 8159

I hereby certify that this correspondence and all
marked attachments are being deposited with
the United States Patent Office via fax to
(703)308-6916 on:

June 29, 2003



Ernest A. Beutler
Reg. No. 19901

**PETITION TO HAVE EXAMINER'S ANSWER REVISED TO ELIMINATE
REFERENCE TO NEW CITATION**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is to formally present to the Petitions Office the attached Petition that was filed in this case via fax on April 29, 2003. In spite of several phone calls to the Supervisory Examiner of the Examiner in Charge, no response or action has been received. Therefore Applicant has no choice but to formally submit the attached for action. In order to prevent inadvertent abandonment, a request for oral hearing will be filed in this case, but it seems a shame to present this case to the Board in its present form. Therefore the granting of the requests in the attached Petition is most respectfully requested.

Respectfully submitted,



Ernest A. Beutler
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Suite 945
Newport Beach, Ca 92660
(949) 717-4821 Pacific Time

SIMTEK6241 Petition

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SIMTEK6241

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Art Unit: 2834
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I hereby certify that this correspondence and all
marked attachments are being deposited with
the United States Patent Office via fax to (703)
872-9319 on:

April 29, 2003


Ernest A. Beutler
Reg. No. 19901

**PETITION TO HAVE EXAMINER'S ANSWER REVISED TO ELIMINATE
REFERENCE TO NEW CITATION**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is submitted in response to the Examiner's Answer mailed April 22, 2003. Before getting into the merits, Appellant petitions the Commissioner to exercise his supervisory authority and direct the Examiner to either again reopen prosecution to permit Appellant to respond to the new citation first applied in this Answer or to direct the Examiner to revise his answer by withdrawing this citation.

This action clearly emphasizes the inequity in the present practice in many Examining Units to not fully search a new case or clearly express the full terms of the basis for rejection in the first Office Action. Then when applicants reply the Examiners frequently more fully explain their position, but refuse entry of proposed amendments on the basis that a new search is required in spite of the MPEP's directive that the examiners search not only what is claimed but might reasonably be expected to be claimed.

The Examiner, for the first time in his present brief is now claiming that parallel strands are twisted relying on a dictionary definition never before applied. This simply is not fair, particularly in view of the complete prosecution in this case. Therefore the Examiner should not

SIMTEK6241Petition

App. No.: 09/787299
Filed: March 15, 2001

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be permitted to rely on the new citation when Appellant has no right of amendment.

Appellant wishes to reply, but should not be forced to consider new citations unless prosecution is reopened. Appellant requests therefore supervisory review beyond the conferees of the Brief on this point and a staying of the time for reply until this issue is resolved.

Respectfully submitted,



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